

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

MOHAWK GAMING ENTERPRISES, LLC)	
)	
)	
Plaintiff,)	
v.)	Case No.: 8:20-cv-00701-DNH-DJS
)	
AFFILIATED FM INSURANCE CO.)	
)	
Defendant.)	
)	

**PLAINTIFF MOHAWK GAMING ENTERPRISES’
MOTION FOR PARTIAL SUMMARY JUDGMENT**

Plaintiff Mohawk Gaming Enterprises (MGE herein) move this Courts, pursuant to Fed. Rule Civ. Pro. 56(a), for partial summary judgment on the legal issue of whether the contamination exclusion in the proVision all-risk insurance Policy (the Policy) purchased from Affiliated FM (AFM) is applicable to MGE’s claim for coverage under the Business Interruption - Civil Authority extension. It is MGE’s position that the exclusion does not defeat its claim for coverage. A supporting Affidavit, Statement of Undisputed Material Facts and Memorandum of Law in Support accompany this motion.

Respectfully submitted,

/s/ Marsha K. Schmidt

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